REMARKS

Claims 1-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Fogarty et al. '452 in view of Laird '661 and Merry et al. '235. This rejection is respectfully traversed.

Claims 1-3 specifically recite "an inflatable element disposed about the body near one of the distal and proximal ends thereof for selectively expanding radially outwardly about the body unobstructively of the central bore", and "a resilient fluid seal disposed external to the body near the other of distal and proximal ends having an aperture therethrough substantially aligned with the central bore through the body, and having an inner dimension resiliently and flexibly disposed to receive an endoscopic instrument therein in sliding fluid-sealing engagement therewith", and "a fluid passage in a wall of the body in communication with the balloon and extending along the wall toward the proximal end of the body for connection thereat to a source of fluid under pressure for selectively inflating the balloon".

In addition, claim 4 specifically recites "disabling a fluid-tight seal within the access port to permit deflating the anatomical space inflated with fluid under pressure upon removal of an endoscopic instrument from within the access port".

And claims 5, 6 variously recite "a plurality of resilient fluid seals, each selectively attachable to the proximal end of the body for forming a fluid-tight seal

with the body near the proximal end thereof, each of the fluid seals including a resilient aperture therethrough of selected different dimensions disposed to axially align with the central bore in the body in position attached to the proximal end of the body", and "at least one resilient fluid seal for attachment in fluid-tight engagement with the body near the proximal end thereof", and "an auxiliary resilient fluid seal for insertion within the resilient aperture of the resilient fluid seal to form a fluid-tight seal therewith, including an aperture therein of smaller dimension than the resilient aperture of the resilient gas seal for forming a sliding, substantially fluid-tight seal about a cylindrical member of sectional dimension larger than the aperture in the auxiliary resilient fluid seal and smaller than the aperture in the resilient fluid seal".

These aspects of the claimed invention promote interchangeable resilient seals for conveniently accommodating cylindrical instruments such as endoscopes of different cross-sectional dimensions. In addition, the resilient seals do not suffice as valves or shutters to confine insufflating fluid pressure within an internal anatomical cavity. Instead, resilient apertures of various dimensions cease forming a fluid-tight seal upon removal of an instrument from within an aperture therein to permit deflation of such anatomical cavity. In addition, each resilient seal having different resilient apertures may be conveniently secured to the

proximal end of the body to facilitate easy changes of aperture sizes, and one such seal may even be disposed within the resilient aperture of another seal.

These aspects of the claimed invention are not disclose or even suggested by the cited references considered either alone or in the combination proposed by the Examiner. Specifically, Fogarty et al. '452 discloses an everting balloon that is understood to be attached to a sliding piston 43 that moves inside the bore of the balloon housing, seemingly with a laparoscope that is guided by mandrel 44. (Col. 7, lines 26-37). And, Laird '661 discloses a variable internal aperture only. Laird '661 fails to disclose an inflatable element disposed for outward radial expansion out of obstruction of the inner bore, in a manner as claimed by applicants. Nor does Merry et al. '235 disclose such an inflatable element disposed for outward radial expansion out of obstruction of the inner bore. And, at best this reference discloses two spaced, tandem inner seals that are assembled within the body rather than attached thereto at the proximal end, in the manner as claimed in claim 4 by applicants. One such seal thus does not seal within the resilient aperture of the other seal, as claimed by applicants.

Thus, merely combining the deficient disclosures of these references in the manner proposed by the Examiner fails to establish even a *prima facie* basis from which a proper determination of obviousness can be formed. And, there is no suggestion found in the cited art for combining the diverse disclosed features of

these references in the manner proposed by the Examiner. Such required modifications of each of these references are inconsistent with the purposes and functions of these references which are seemingly combined in support of the Examiner's rejections from instructions improperly derived from applicants' own disclosure. It is therefore respectfully submitted that claims 1-6 are now patentably distinguishable over the cited art.

Applicants are presenting herewith new dependent claims 7-15 which are submitted to provide the Applicants with the scope and breadth of claims coverage to which they are entitled in view of the cited art.

Reconsideration and allowance of all claims are solicited.

Respectfully submitted,
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